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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,460	03/26/2004	Hiroyoshi Kubo	00862.023521.	7672
5514	7590	11/01/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			NGUYEN, TUYEN T	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2832	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

**Office Action Summary**

Application No.

10/809,460

Applicant(s)

KUBO, HIROYOSHI

Examiner

TUYEN T. NGUYEN

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 5-8 and 11-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9 and 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/30/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election with traverse of group I, embodiment 1, figures 1A-8, claims 1-4 and 9-11, in the reply filed on 8/8/2005 is acknowledged. The traversal is on the ground(s) that it is not believed that there would be an undue burden in examining the claims of group I and II together, and claims 1-4 and 9-11 read on the elected species with claim 1 is generic. This is not found persuasive because method claims of group II require further search in other areas/classes and claim 11 do not read on the elected species. Claims 1-4 and 9-10 will be examined herewith.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 and 9-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, there lacks sufficient structure to support the functional language of "a second region from which said insulating film is removed by machining."

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 9, as best understood in view of the rejection under 35 USC 112 second paragraph, are rejected under 35 U.S.C. 103(a) as being unpatentable over Oketani et al. [US 6,664,703 B2] in view of Hasegawa et al. [US 6,841,908 B2].

Oketani et al. discloses an iron core structure [figure 4] comprising :

- a mounting base [15f] ;
- a stacked structure [15c] of a plurality of electromagnetic steel plates; and
- a coating layer [100] disposed around the mounting base and the stacked structure.

Oketani et al. discloses the instant claimed invention except for the specific insulation of the stacked structure.

Hasegawa et al. discloses a stator core comprising a plurality of electromagnetic plates being stacked together with adhesive insulation layer between the layers.

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include adhesive insulation between the plates of Oketani et al., as suggested by Hasegawa et al., for the purpose of controlling the magnetic flux.

Regarding claim 4, Oketani et al. discloses the coating member form of resin.

Regarding claim 9, Oketani et al. futher discloses a stator coil [16] wound about the iron core.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art of figure 9 [AAPA] in view of Oketani et al. and Hasegawa.

AAPA discloses an alignment apparatus comprising a stator [34, 39] and a movable element opposing the stator.

AAPA discloses the instant claimed invention except for the specific of the iron core.

Oketani et al. in view of Hasegawa et al. discloses the iron core structure and stator coil [see above].

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to use the stator core/coil assembly of Oketani et al., as modified, in AAPA for the purpose of improving insulation.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUYEN T. NGUYEN whose telephone number is 571-272-1996. The examiner can normally be reached on M-F 8:30-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ELVIN ENAD can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTN *TTN*

*Tuyen Nguyen*